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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixty-ninth session

Summary record of the 1583rd meeting
Held at the Palais des Nations, Geneva, on Tuesday, 27 February 2018, at 3 p.m.

Chair: Ms. Leinarte

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined third and fourth periodic reports of Saudi Arabia (*continued*)
(CEDAW/C/SAU/3-4; CEDAW/C/SAU/Q/3-4 and CEDAW/C/SAU/Q/3-4/Add.1)

1. *At the invitation of the Chair, the delegation of Saudi Arabia took places at the Committee table.*

Articles 7 to 9

2. **Ms. Nadaraia** said that she would welcome an indication of the steps the State party intended to take to help women overcome the obstacles to their participation in its political and public life. In particular, she wished to know what plans had been made to ensure that women, who had been granted the right to vote in 2011 but had been unable to exercise that right until 2015, were not prevented from voting because of: their inability to drive to a polling place; their lack of a national identity card; their ignorance of voting procedures, given that independent civil society organizations which might otherwise have launched voter education drives did not operate freely in the country; or the unwillingness of their male guardians to allow them to exercise their right to vote. She wondered whether there had been campaigns to raise awareness of the importance of involving women in political and public life. According to reports, there were no female judges or prosecutors in the State party. Women accounted for less than 10 per cent of the members of the country's diplomatic corps. Had policies to increase that percentage been put in place?

3. **Ms. Chalal**, congratulating the State party on its election to the Commission on the Status of Women and commending it for the progress it had made since 2010, when it had previously appeared before the Committee, said that she wished to encourage the State party to develop a regulatory framework that would enable it to consolidate the numerous gains it had made and keep to the transformative path it had recently chosen to follow. The Committee nonetheless wished to know, as it had in 2010, whether the State party intended to accord Saudi women the same nationality rights as Saudi men and ensure that neither a woman's marriage to a non-Saudi national nor a change of nationality by her husband automatically changed her nationality, rendered her stateless or made it necessary for her children to acquire their father's nationality. Other countries with traditions and legal systems similar to those of Saudi Arabia had enabled women to transmit their nationality to their children on an equal footing with men. Algeria, for instance, where she was from, had withdrawn its reservation to article 9 of the Convention in 2005.

4. In the same connection, she wondered whether the State party intended to review the conditions for the naturalization of the children of Saudi mothers and non-Saudi fathers. In addition, she wished to know how many such children had obtained Saudi citizenship in accordance with those conditions and what happened to the children who were denied citizenship on the grounds that they did not fulfil the stated conditions. She also wished to know whether, as had been recommended by the Committee on the Rights of the Child (CRC/C/SAU/CO/3-4, para. 23), the State party had determined how many stateless children and their families were living in its territory and, if so, what the number was. In addition, she asked whether obligatory birth registration applied to migrants in irregular situations and whether the State party intended to become a party to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. She would welcome further information about the status of two proposals reportedly now before the Shura Council, one defining a Saudi national as anyone born to a Saudi mother or father and the other establishing the age at which children of Saudi mothers and non-Saudi fathers could become citizens at 18.

5. **Mr. Alaiban** (Saudi Arabia) said that, when it had been announced that women would have the right to vote, it had been clear that they would not be able to exercise that right until the next elections, which had been scheduled for 2015. In the interim, there had been awareness-raising and voter-education campaigns. Women did not need anyone's permission to run for office or vote. It was possible to vote even without a national identity

card. Not being able to drive had never prevented women from going to work or to a polling place, and, in any event, as had been noted, women would be allowed to drive starting in June 2018.

6. Women had male guardians in accordance with the religious law followed in the country. Nonetheless, a royal decree had been issued authorizing women to seek the government services to which they were entitled without first obtaining their guardian's consent. In addition, a woman who was marrying for the second time did not need to be assigned a guardian. Under the decree, all government agencies had been required to launch campaigns to raise awareness of the international human rights instruments to which Saudi Arabia was a party.

7. The empowerment of Saudi women, some of whom occupied positions of senior leadership, had been proceeding apace. A woman had become Deputy Minister of Labour and Social Development, for instance, while other women had become corporate executives or worked in other high-level positions. The Public Prosecutor's Office had recently decided to hire women. Special offices had been established in part to prepare women for legal careers. There were more than 2,500 female lawyers in Saudi Arabia and a similarly large number of female trainees. It would not be long before they occupied high-level positions in the country's judicial system. Women were also well represented at the Ministry of Foreign Affairs.

8. **Ms. Almoalimi** (Saudi Arabia) said that she had taken part in the development of the rules and regulations for the municipal elections of 2015 and that she had been a member of the committee that had monitored the elections. She could therefore confirm that there were no provisions differentiating between men and women at any stage of the electoral process.

9. Saudi women had reached unprecedented heights in the United Nations system. One Saudi woman, for example, had been an Under-Secretary-General, while another had been appointed Assistant Director General at the World Health Organization.

10. The first female law students had graduated only in 2008. Currently, however, there were nearly 1,500 female law graduates, and little by little they were taking up positions in the Public Prosecutor's Office or with the country's courts. Women accounted for 40 per cent of the country's public servants, which was a large percentage given that women in Saudi Arabia had not had the right to education until 1960.

11. **Mr. Alaiban** (Saudi Arabia) said that the 2015 elections had been monitored by civil society organizations whose members had included women. The elections had also been monitored by the Saudi Human Rights Commission.

12. **Ms. Alturki** (Saudi Arabia) said that Al-Nahda, a woman's charitable society, had launched an awareness drive that had involved workshops in various parts of the country and the training of 150 trainers on election-related matters. Voter-education and awareness-raising campaigns, which had reached approximately 15 million people, had been run in universities and business centres and with the help of both traditional and social media. A large number of women had also been given training on how to run election campaigns.

13. **Mr. Alaiban** (Saudi Arabia) said that the Human Rights Commission and Al-Nahda had entered into an agreement assigning Al-Nahda responsibility for the technical supervision of the awareness-raising and voter-education drives aimed at women. That agreement attested to the authorities' readiness to cooperate with and even rely on civil society organizations.

14. **Ms. Alkahtani** (Saudi Arabia) said that women represented Saudi Arabia at the regional and international levels. There were nearly 2,000 women in the country's diplomatic corps, and Saudi women, as had been noted, had been in positions of senior leadership in a number of international and regional organizations. The delegations of Saudi officials that appeared before the United Nations treaty bodies included many women.

15. **Mr. Khorayef** (Saudi Arabia) said that children of Saudi mothers and non-Saudi fathers were eligible to obtain Saudi citizenship under the Nationality Act through a special naturalization procedure. A Saudi woman's foreign husband could also obtain Saudi

citizenship under the Act by way of ordinary naturalization. Although the rule was that nationality was conferred by the father, special exceptions were made for humanitarian reasons, enabling children born to a non-Saudi father to obtain their mother's Saudi citizenship, for example when the father was unknown or stateless. A Saudi woman who married a foreigner was not required to give up her citizenship.

16. **Mr. Alaiban** (Saudi Arabia) said that no authorization was necessary for a woman to obtain a national identification card. Boys and girls were entitled to such a card, which was essential for all dealings in the country, starting at the age of 15.

17. **Ms. Alosaimi** (Saudi Arabia) said that the births of all children in Saudi Arabia and the births of children to Saudis outside the country had to be registered within 15 days. Parents who failed to register the births of their children within that period were subject to a fine of approximately 10,000 riyals.

18. **Ms. Manalo** said that the system whereby women were assigned male guardians was still not clear to her. If, as members of the delegation had suggested, a guardian could not prevent a woman from doing as she liked, why not abolish the system altogether?

19. **Ms. Verges** said that, as only 21 women had won seats on municipal councils in the 2015 elections, she wished to know what policies the State party intended to implement to increase the participation of women in political life, in its municipalities in particular.

20. **Mr. Alaiban** (Saudi Arabia) said that a society could not simply ignore its traditions, values and customs when changes were being considered. In Saudi Arabia, changes in societal mores had been relatively swift. All State agencies were required to report any obstacles to the exercise of the rights of women to the country's highest authorities. If a law stood in the way of those rights, it would be reviewed.

21. As women had not previously been allowed to run for office, the election of 21 women to municipal councils in 2015 had to be considered a success. A number of initiatives would be organized to help women improve their chances of victory in the next round of municipal elections.

22. **Ms. Chalal** said that, in the light of the numerous reforms recently undertaken by the State party, it would be of interest to the Committee to find out whether the authorities had any plans to recognize the Saudi citizenship of Bidun women, who were stateless, or to facilitate naturalization procedures for them.

23. **Mr. Alaiban** (Saudi Arabia) said that the granting of nationality was a sovereign right of States that was generally exercised with a view to maintaining the position and advantages of their citizens. That could clearly be seen in the recent migrant crisis in Europe, where large numbers of persons had flooded a number of countries, and in the resulting shift in policies. The granting of Saudi citizenship was done in accordance with specific requirements and criteria that were equally applicable to all through regular procedures. The Saudi authorities considered non-citizens as guests and provided them with identity papers, education and health services and the opportunity to build their future. Those who qualified were also able to relocate to another country through the Government's cooperation with the Office of the United Nations High Commissioner for Refugees.

Articles 10 to 14

24. **Ms. Gabr** said that she had taken part in the consideration of the State party's previous report, in 2010, and that it was clear that progress had been made in improving women's education, in hiring women educators and in efforts to eliminate illiteracy. The periodic report mentioned that school curricula were reviewed by a private company. The criteria for the review, however, were established by the Government. It would be useful to the Committee if the delegation would elaborate on the criteria themselves and explain whether it would be possible to include information on the Convention in school programmes. Noting that the State party had conducted studies into the phenomenon of school dropout, she asked what reasons had been identified for children to drop out of school. What percentage of university positions were held by women? When girls or women obtained scholarships to study in other countries, did they require authorization

from their male guardians to leave the country? If a Saudi woman was divorced from her non-Saudi spouse, was she able to ensure that her children would receive an education? It was laudable that the State party had opened up technical fields for the education and training of girls, but it was necessary to break cultural stereotypes in the family and in society in order to make such opportunities real. What steps could be taken to introduce age-appropriate instruction in reproductive health for students? What specific plans did the Government have for the implementation of Sustainable Development Goal 4, on education?

25. **Ms. Hofmeister** said that the State party had the opportunity to play an important role in human rights worldwide and to represent a moderate form of Islam. She noted certain areas of concern to the Committee, including entrenched patriarchal customs and attitudes. Face-covering was incompatible with the role of modern women at the workplace. It violated the dignity of all women, including those forced to cover their faces, those who did so by choice and all other women who were observers. Male guardianship, too, was extremely problematic and should be abolished.

26. The Committee would like to know what obstacles stood in the way of the full implementation of article 11 of the Convention. What steps did the authorities plan to take to deal with the lack of identity documents for women and the resulting obstacle to entry into the labour market? The delegation might explain the reasons for the high unemployment rate among women workers. Were there any plans to draft legal provisions against face-covering in the workplace? The Committee would like to receive information on sex segregation at the workplace and on the legal measures and economic tools that were used to combat wage discrimination, to support equal opportunities in employment and to ensure that women could benefit from social security. Did women working for private companies draw paid maternity leave? The Committee would also like to receive further information on continuous horizontal and vertical gender segregation disaggregated by region and governorate, to find out what measures the authorities had taken to support women entrepreneurs, for example with loans, and on the State party's efforts to fulfil its treaty obligation to influence non-State actors so that they fully complied with the provisions of the Convention.

27. **Ms. Arocha Dominguez** said that she welcomed the increase in the health budget and in the improvement in the provision of services since the Committee's last meeting with the State party. During the consideration of the previous periodic report, the Committee had requested disaggregated data. The current report provided no detailed health information disaggregated by Saudi and foreign women, women living in rural and urban areas, migrant and non-migrant women and nomadic and non-nomadic women, for example.

28. The Committee would like to find out whether the authorities had monitored women's access to health services and assessed the impact of guardianship on such access in practice. How did de facto gender segregation in health services affect the quality of service? It would be helpful if the delegation would describe family planning services. Was modern contraception available throughout the country? According to a recent survey, only 28 per cent of married women were aware of family planning services. How did the lack of information on contraception affect birth spacing and the spread of HIV/AIDS and other sexually transmitted diseases?

29. With the exception of cases where the life or health of the mother was in jeopardy, abortion was illegal in the State party. Was consideration currently being given to extending the scope of legal abortion to cover also pregnancies resulting from rape or incest, or other situations when the physical or mental health of the woman was in danger? The Committee would like to find out about access to abortion in remote areas. Notwithstanding the fact that female genital mutilation was illegal, the Committee had received reports that it was still practised, especially among certain groups and in some rural areas. Did the State party carry out any campaigns to raise awareness of the pernicious effects of the practice?

30. **Ms. Alsaleh** (Saudi Arabia) said that school curricula were regularly reviewed to ensure that they were as all-encompassing as possible and that they included instruction on the elimination of any discrimination against women. The Ministry of Education also

provided advice through school manuals. The Ministry's website included a page that outlined the rights of women and elaborated on their role in society.

31. Saudi society in no way privileged one sex over the other. Since 2012, the school curricula were the same for both sexes at all levels. Various measures had been taken to reduce or eliminate school dropout through awareness-raising campaigns and specific training workshops for educators and school psychologists. Several campaigns had been carried out in rural areas specifically to curb school dropout, measures had been taken to encourage children to return to school after dropping out, and continuing education programmes were conducted for adult women who wished to resume their studies. Within the education system, women benefited from the fact that students were more at ease with female instructors. University campuses and classes had been established exclusively for female students, with female instructors.

32. **Ms. Alosaimi** (Saudi Arabia) said that the right to health was enshrined in Saudi legislation and that the State was obliged by law to ensure medical care for all citizens from early childhood to old age. There was no gender discrimination in the provision of medical services. The health services provided to women in remote areas had been improved, in particular with the establishment of hospitals and dispensaries in all areas of the country. The Ministry of Health, working with other local and national authorities, had launched awareness campaigns for future spouses. The campaign included social, psychological and cultural components, and educational institutions had incorporated the same campaign in their curricula. The authorities had responded to a number of treaty body general recommendations with measures to eradicate any type of maltreatment of children and women. The Government was carrying out studies in cooperation with the World Health Organization (WHO) with a view to eradicating female genital mutilation.

33. Saudi Arabia had been relatively spared by the spread of HIV/AIDS. Persons who contracted the HIV virus were guaranteed high-quality treatment, and the authorities closely monitored HIV/AIDS indicators published by WHO. All efforts to treat and prevent the spread of HIV/AIDS were coordinated under the National AIDS Programme, and the treatment itself was provided through a number of organizations. Efforts to support tolerance and to confront and eradicate fanaticism, xenophobia, extremism and stereotypes were an integral part of the Government's policies. An increasing number of women had joined the ranks of institutions that spread awareness of women's rights. Information on the Convention was included in university curricula and was also an important component of the social awareness campaigns launched by the authorities. Such activities were covered by a memorandum of understanding between the Ministry of Health and the Ministry of Education.

34. **Ms. Almoalimi** (Saudi Arabia) said that, in accordance with sharia law, abortion without legal justification was considered a flagrant violation of the right to life and was thus completely prohibited. Abortion was authorized when the health of the mother was at risk. The State party was committed to guaranteeing the right to health, in keeping with sharia. Although abortion was illegal, there had been no instances of women brought to justice for abortion.

35. **Ms. Fatani** (Saudi Arabia) said that the Government had a specific budget allocated for the treatment of victims of ill-treatment; it also covered the cost of treatment of cancer patients, people who contracted infectious diseases and victims of female genital mutilation. Victims of female genital mutilation, especially in rural areas, were thus able to receive medical attention. The practice was not a tradition in Saudi Arabia, even in rural areas.

36. **Ms. Altuwaigri** (Saudi Arabia) said that the Ministry of Labour had adopted a series of measures to increase the economic independence of women and facilitate their access to employment. The aim was to increase the number of women in the labour market, to improve women's skills and abilities and to provide support to women in order to ensure that they would have access to middle- and high-level positions in the various sectors and activities. The country's economic vision for 2030 was based largely on an increase in women's participation in the labour market, which should rise to 30 per cent. The Ministry of Labour was engaged in activities to create decent jobs that would be attractive to women. It had launched a programme to facilitate the transportation of women to their workplaces

and supported women's efforts to launch their own businesses. A decision issued in 2010 prohibited any gender-based discrimination in remuneration in the public sector.

37. **Ms. Verges** said that she would like to know whether the Government carried out campaigns to raise awareness about polygamy and whether medical examinations were carried out before marriage.

38. **Mr. Alaiban** (Saudi Arabia) said that both parties to a marriage underwent medical examinations prior to the wedding ceremony.

39. **Ms. Arocha Dominguez** said that, while she applauded the commitment of the State party to the 2030 Agenda for Sustainable Development, it was unclear how it would increase women's contribution to sustainable development when women were habitually relegated to secondary activities in the economy. Were loans made available by the State or by banks to assist women from the most disadvantaged parts of society? Were such loans available to all women, including divorced and widowed women, or only to those who were married? She had seen from research on the Internet that certain banks required the husband's authorization before granting loans to women. Was that a State policy, or was it applied only by certain banks?

40. The Committee would like to find out what the Government was doing to promote sports and physical activity among women so as to reduce the incidence of non-transmissible diseases and disorders such as obesity and diabetes. Did the State party provide sustainable support for women athletes in high-performance competitions? In the light of the environmental challenges faced by Saudi Arabia, it would be interesting to hear how environmental protection was integrated into national plans to implement the 2030 Agenda and how women were included in the design and implementation of environmental protection efforts.

41. **Ms. Haidar** said that she wished to know what measures would be taken to enable women to participate in decisions concerning rural development and whether any plans were in place to tackle the effects of climate change, especially in rural areas. The Committee was concerned about reports that the Government violated the rights of human rights defenders, including those who operated on the Internet, and took steps to silence any voices that were critical of the authorities. Some human rights defenders had been arrested and sentenced under legislation on terrorism and cybercrime, which was used by the judiciary to silence opponents of the Government. In view of that situation, she asked what measures were taken by the Human Rights Commission to protect human rights defenders.

42. Noting that, like her country, Lebanon, Saudi Arabia was not a party to the relevant international instruments on the protection of refugees, she pointed out that no reliable statistics were kept on refugees in the country. She wondered what was being done to help the reported hundreds of thousands of persons seeking asylum, including Yemeni women. The Committee would welcome further information on the status of current draft legislation on hate speech and religious tolerance, which was essential for dealing with discrimination against the Shia minority. She wished to know whether the law would place minorities on an equal footing with other citizens. Lastly, she asked for information on the number of women displaced by armed conflict and mechanisms to ensure their access to justice.

43. **Mr. Alaiban** (Saudi Arabia) said that refugees were referred to as guests or visitors and enjoyed access to employment opportunities, free health care and free education. They also enjoyed freedom of movement and were not confined to camps.

44. **Ms. Al Ghadeer** (Saudi Arabia) said that the King Salman Humanitarian Aid and Relief Centre, which attended to the needs of the most vulnerable groups, including women and children displaced by armed conflict, abided by the principle of gender equality in granting humanitarian aid. In less than three years, the Centre had undertaken 328 relief projects in 38 countries, including 160 projects in Yemen. Some projects provided immediate relief to those in need while others took place over a 6-month or 12-month period. Over 200,000 refugees had been admitted from the Syrian Arab Republic and around half a million refugees had been admitted from Yemen.

45. **Mr. Alaiban** (Saudi Arabia) said that, since the start of the war in the Syrian Arab Republic, over 2.5 million Syrians had passed through Saudi Arabia, where they had been

provided with support and put in contact with diplomatic missions. The Syrian nationals who had remained in Saudi Arabia enjoyed access to employment opportunities, free health care, free education and freedom of movement. Support had also been provided to persons affected by conflicts in other parts of the world, including Myanmar.

46. **Ms. Altwaijri** (Saudi Arabia) said that the development of rural areas came within the purview of the Shura Council, which was responsible for identifying development needs throughout the country. The members of the Council included women from different provinces. A rural development agency ensured that development plans responded to the specific needs of each province. Social development centres provided training and education to women in rural areas.

47. **Ms. Aloyaidi** (Saudi Arabia) said that the number of loans made available to women had increased between 2013 and 2017. Women comprised 90 per cent of the beneficiaries of projects intended to address the needs of families, including those on low incomes. In 2017, funding had been provided for over 70,000 social projects. Plots of barren land measuring between 5 and 10 hectares were allocated to individuals who wished to restore them. Plots measuring up to 400 hectares were made available to corporations.

48. **Ms. Alshangiti** (Saudi Arabia) said that, under a ministerial decree issued in 2003, electricity and other services had been provided to houses in remote areas and support had been given to families who wished to move from such areas to other parts of the country. The Government made housing available to citizens in accordance with their needs. Heads of families could receive housing subsidies that varied in accordance with the size of the family concerned and the health of its members.

49. **Ms. Alaskary** (Saudi Arabia) said that 20 per cent of men and 7 per cent of women currently participated in sporting activities. The Government aimed to ensure that, by 2030, 40 per cent of the total population would be practising a sport at least three times a week.

50. **Ms. Haidar** said that it was still not clear what measures were taken to protect women human rights defenders and activists. Although assurances had been made that the male guardianship system was not imposed as rigorously as in the past, alternative sources had indicated that recent campaigns to end that system had not achieved their goals. The Committee wished to know whether women required the authorization of a male guardian in order to obtain or renew a passport or apply for a scholarship and whether a timeline had been established for the elimination of the guardianship system from all areas of life. Lastly, she asked whether the State party would be open to receiving visits from United Nations special rapporteurs to assist it in its efforts to comply with international human rights instruments.

Articles 15 and 16

51. **Ms. Halperin-Kaddari** said that many of the concerns raised by the Committee throughout the day related to the State party's highly discriminatory personal status laws. Sharia law was not immutable and, as other countries in the region had demonstrated, mechanisms existed within the system that could allow for changes to be made in many areas of life, including marriage, the inheritance rights of widows and daughters, unilateral extrajudicial divorce and the male guardianship system. In the light of the current situation, she asked whether the Government would consider adopting a unified comprehensive family law that would comply with the Convention and all the Committee's general recommendations. It would be interesting to learn why women were excluded from the judiciary despite the fact that the Judiciary Act did not require judges to be male. Lastly, she asked whether the female members of the delegation had had to obtain permission from their male guardians in order to travel to Geneva to attend the meeting.

52. **Mr. Alaiban** (Saudi Arabia) said that the entire guardianship system was under review. Under Royal Decree No. 333, all agencies had been instructed to eliminate the need for women to seek the authorization of male guardians for any purpose. Any provision or law that contradicted that instruction had to be referred to the Royal Court and justified or it would risk being declared null and void. The male guardianship requirement applied only to certain situations, such as marriage, and did not grant guardians power over women. The courts would remove the authority of any man who attempted to misuse the role of guardian.

53. The Human Rights Commission would support any human rights defenders who were undertaking activities that did not disrupt society or compromise regional security. In Saudi Arabia, activists were given more freedom to express their views on the Internet than in any other country in the region. Restrictions were placed on that freedom only when the security of the country was threatened.

54. **Mr. Shayr** (Saudi Arabia) said that matters relating to personal status were covered by legislation based on sharia law and were governed by the Supreme Council, which issued instructions relating to that area.

55. **Ms. Almoalimi** (Saudi Arabia) said that heads of household possessed a code that other members of the household could use to apply for a passport online. Remedies were available to individuals who were denied access to such a code.

56. **Ms. Al-Rammah** (Saudi Arabia) said that women had the right to take decisions on an equal footing with men. The Ministry of Labour and Social Development made subsidies available to enable citizens to develop their skills. Several programmes had been established to help women to become more independent and obtain access to employment.

57. **Ms. Haidar** said that, having visited the website of the Ministry of the Interior, she wondered when women's status as persons would be fully and completely recognized.

58. **Mr. Alaiban** (Saudi Arabia) said that he wished to assure the Committee that Saudi women enjoyed full legal personality. They had access to the website of the Ministry of the Interior for matters involving electronic identification and other relevant e-services. He would also like to thank the Committee for the comments made during the constructive dialogue, which would be taken into consideration at the highest level. The Government considered the Committee members to be its friends and partners in its efforts to protect and promote the rights of women. It looked forward to implementing the Committee's recommendations and hoped that the situation of women in Saudi Arabia would be further improved when the next meeting with the Committee took place.

The meeting rose at 5.10 p.m.